

ern and control, and declaring an emergency."

Has carefully compared same, and finds it correctly enrolled.

OLSEN, Vice-Chairman.

Austin, Texas, February 21, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 45, Inviting Hon. Albert B. Chandler, Governor of Kentucky, to address a Joint Session of the House and Senate, February 28, 1939.

Has carefully compared same and finds it correctly enrolled.

OLSEN, Vice-Chairman.

SENT TO THE GOVERNOR

February 21, 1939

House Bill No. 228

House Bill No. 123

TWENTY-SIXTH DAY

(Wednesday, February 22, 1939)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Morse.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Burney
Allen	Cauthorn
Allison	Celaya
Alsup	Chambers
Anderson	Clark
Bailey	Cleveland
Baker	Cockrell
of Fort Bend	Coleman
Baker of Grayson	Colquitt
Bell	Colson, Mrs.
Blankenship	Cornett
Bond	Corry
Boyd	Crossley
Boyer	Daniel
Bradbury	Davis of Jasper
Bradford	Davis of Upshur
Bray	Dean
Bridgers	Derden
Broadfoot	Dickison
Brown of Cherokee	Dickson
Brown	Donaghey
of Nacogdoches	Dowell
Bundy	Dwyer

Faulkner	Montgomery
Felty	Morris
Ferguson	Newell
Fielden	Nicholson
Fuchs	Oliver
Galbreath	Olsen
Gilmer	Pace
Goodman	Petsch
Gordon, Mrs.	Pevehouse
Hale	Piner
Hamilton	Pope
Hankamer	Ragsdale
Hardeman	Reader of Bexar
Hardin	Reader of Erath
Harp	Reaves
Harper	Reed
Harrell of Bastrop	Rhodes
Harrell of Lamar	Riviere
Harris	Roach
Hartzog	Roberts
Heflin	Robinson
Holland	Russell
Howard	Schuenemann
Howington	Segrist
Hull	Shell
Hunt	Skiles
Isaacks	Smith of Frio
Johnson of Ellis	Smith of Hopkins
Johnson of Tarrant	Smith
Keith	of Matagorda
Kennedy	Spencer
Kern	Stinson
Kerr	Stoll
Kersey	Talbert
Kinard	Tarwater
King	Taylor
Langdon	Tennant
Lehman	Thornberry
Leonard	Thornton
Leyendecker	Turner
Little	Vale
Lock	Vint
Loggins	Voigt
London	Waggoner
Mays	Weldon
McAlister	Wells
McDaniel	Westbrook
McDonald	White
McFarland	Wilson
McMurry	Winfree
McNamara	Wood
Mohrmann	Worley
Monkhouse	Wright

Absent—Excused

Burkett

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"Almighty God, we are thankful for the great men whom Thou didst raise

up to found and lead our country. We are helped by the accomplishments and example of him the anniversary of whose birth we observe today. As we emulate his virtues may we more and more carry on in his spirit and with his principles. In Christ's name. Amen."

LEAVE OF ABSENCE GRANTED

The following Member was granted leave of absence on account of illness in his family:

Mr. Burkett for today, on motion of Mr. Gilmer.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Thornton and Mr. Robinson:

H. B. No. 624, A bill to be entitled "An Act making it unlawful to hunt, take or pursue any wild deer in the County of Galveston for a period of five (5) years following the passage of this Act; providing a suitable penalty, repealing all laws or parts of laws in conflict with this Act, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Wright:

H. B. No. 625, A bill to be entitled "An Act to amend Article 2791 of the Revised Civil Statutes, providing that the Independent District Assessor and Collector shall make bond for security to be approved by the President of the School Board; providing that said bond shall be approved and filed with the State Department of Education before any State funds are sent to said District; providing for fees to be paid by vouchers for services of said officer, and said officer shall prepare tax rolls and certify same, and declaring an emergency."

Referred to the Committee on Education.

By Mr. Leonard:

H. B. No. 626, A bill to be entitled "An Act to amend Section 6 of House

Bill No. 303, Chapter 245, page 856 of the Acts of the Regular Session of the Forty-third Legislature as amended by House Bill No. 373, Chapter 264, page 651 of the Acts of the Forty-fourth Legislature as amended by House Bill No. 893, Chapter 257 of the Acts of the Regular Session of the Forty-fifth Legislature; providing for additional time for organization under such Act prescribing the time of organization and repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

Referred to the Committee on Insurance.

By Mr. Smith of Frio:

H. B. No. 627, A bill to be entitled "An Act to make it a violation of the law for a person to voluntarily represent himself to be an officer, agent, or an employee of the State of Texas, and making an arrest or search, providing a penalty, and creating an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Segrist, Mr. Dowell, Mr. Chambers, Mr. Howington, Mr. Fuchs, Mr. Burney, Mr. Harrell of Bastrop, Mr. Cleveland and Mr. Olsen:

H. B. No. 628, A bill to be entitled "An Act repealing Article 7009, as amended, of the 1925 Revised Civil Statutes of Texas, and abolishing the Live Stock Sanitary Commission; providing for the amendment of Chapter 14 of the Penal Code of the State of Texas and Article 192-B of Vernon's Texas Statutes, 1936, so as to transfer the duties and powers of the Live Stock Sanitary Commission to the State Department of Agriculture; providing for the amendment of Articles 3872, as amended, through 3881, as amended, of the 1925 Revised Civil Statutes of Texas so as to transfer the feed control work of the Texas Agricultural and Mechanical College to the State Department of Agriculture; providing that all funds appropriated for the use of the Live Stock Sanitary Commission shall revert to the General Fund; and further providing that all funds and fees appropriated and assessed for the use of the feed control work of the Texas Agricultural and Mechanical College shall revert to the General Fund; providing for the appointment of an

Agricultural Advisory Board and prescribing the duties of said Board and defining its expenses; providing that all laws and parts of laws in conflict with this Act are repealed to the extent of such conflict, and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Smith of Frio:

H. B. No. 629, A bill to be entitled "An Act to make it an offense to falsely pretend to be an officer of the State of Texas; providing a penalty, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Winfree and Mr. Dickison:

H. B. No. 630, A bill to be entitled "An Act providing for voluntary apprenticeship to open to young people the opportunity to obtain training that will equip them for profitable employment and citizenship; to set up, as a means to this end, a program of voluntary apprenticeship under approved apprentice agreements providing facilities for their training and guidance in the arts and crafts of industry and trade, with parallel instruction in related and supplementary education; to promote employment opportunities for young people under conditions providing adequate training and reasonable earnings; to relate the supply of skilled workers to employment demands; to establish standards for apprentice training; to establish an Apprenticeship Council and local and State joint apprenticeship committees to assist in effectuating the purposes of this Act; to provide for a Director of Apprenticeship within the Bureau of Labor Statistics; to provide for reports to the Legislature and to the public regarding the status of apprentice training in the State; to establish a procedure for the determination of apprentice agreement controversies; and to accomplish related ends."

Referred to the Committee on Labor.

By Mr. Skiles:

H. B. No. 631, A bill to be entitled "An Act regulating the taking, catching and possessing of sand bass fish in the fresh waters of Denton County, Texas; providing that there shall be no closed season for the taking and

catching of such fish; prescribing the bag limit and length limit thereof; regulating the kind of bait which may be used for the catching of such fish during certain months; prescribing penalties for any violation hereof; and defining the intent of this law, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Blankenship, Mr. Stinson, Mr. McDaniel, Mr. Segrist, Mr. Colquitt and Mr. Reed:

H. B. No. 632, A bill to be entitled "An Act authorizing cities and towns having a population of not less than four thousand (4,000) inhabitants, within counties of this State having a population of not less than three hundred thousand (300,000) inhabitants and not more than three hundred and fifty thousand (350,000) inhabitants, according to the last preceding Federal Census, to attach land and territory not in any town or city and within one mile of the limits of such towns or cities for zoning purposes; defining such purposes; extending the police power of such towns and cities to include land and territory so attached and the residents and owners thereof for the purpose of enforcing its zoning ordinances; authorizing the appointments of residents of the territory so attached on the Zoning Commission and Board of Adjustment of such cities and towns; authorizing such towns and cities to fix and enforce penalties for the violation of the zoning ordinances of such towns and cities; providing if any part of this Act is held to be unconstitutional or invalid for any reason the remaining portion of this Act shall be effective and not affected by such decision; making conflicting laws inapplicable to zoning of such attached territory; providing, that this Act shall be cumulative of all laws not inconsistent herewith, and declaring an emergency."

Referred to the Committee on Municipal and Private Corporations.

By Mr. Anderson:

H. B. No. 633, A bill to be entitled "An Act providing for the execution of an agreement to extend the Interstate Compact to Conserve Oil and Gas; prescribing the form of the agreement; prescribing procedure for

withdrawal from the Compact, and declaring an emergency."

Referred to the Committee on Oil, Gas and Mining.

By Mr. Harp:

H. B. No. 634, A bill to be entitled "An Act providing for a Rural School Music Supervisor in certain counties, prescribing the duties of said Supervisor, prescribing the method of employing the Supervisor and the matter of fixing and paying salary, and declaring an emergency."

Referred to the Committee on School Districts.

By Mr. Boyer:

H. B. No. 635, A bill to be entitled "An Act enlarging the Canadian Independent School District in Hemphill County, Texas, defining its boundaries as enlarged; providing for a Board of Trustees, and the election thereof, and defining their qualification, powers, duties, and authority, and defining their limitations, and providing for filling vacancies in said Board; authorizing the Board of Trustees to levy, assess and collect taxes, and to call elections for and issue and dispose of bonds of such District for the purpose of purchasing school sites, and erecting, preparing, furnishing and equipping school buildings on the same, and to pay the current expenses in the maintenance and support of the public free schools therein; defining the manner of calling and conducting such bond elections, and the qualifications of voters at such elections; providing for a Secretary, Treasurer, Tax Assessor and Collector and other officers and committees and defining their duties and providing for their compensation; providing the manner of assessing taxes, providing for a Board of Equalization and defining its powers and duties, and defining a basis for equalization; vesting all property of any territory in Canadian Independent School District, and providing that Canadian Independent School District shall be liable for all debts and claims now existing against any common school district now existing within such new territory; providing for the management and control of the public free schools in said Independent School District; providing that in all matters not covered by this Act said Board of Trustees shall be governed by the General

Laws applicable to independent school districts; repealing all laws in conflict, and providing for an emergency."

Referred to the Committee on School Districts.

By Mr. White:

H. B. No. 636, A bill to be entitled "An Act providing relief for a certain school district of Bowie County, Texas, in order to aid said district in rebuilding and equipping the properties of the school that was destroyed by fire, making an appropriation for said properties, and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Nicholson:

H. B. No. 637, A bill to be entitled "An Act to amend paragraph (c), of Section 1, and paragraph (c), of Section 2, of Chapter 299, House Bill No. 759, Acts of the Regular Session of the Forty-fifth Legislature; defining the word 'trapper,' and providing fees for licenses to engage in the taking of fur-bearing animals, and in selling the pelts thereof; repealing all laws in conflict, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Derden and Mr. Hamilton:

H. B. No. 638, A bill to be entitled "An Act requiring dealers in poultry to keep a public record showing the name of the party from whom poultry is purchased; the breed and type of poultry purchased; providing for a penalty for the violation of this Act, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Derden and Mr. Hamilton:

H. B. No. 639, A bill to be entitled "An Act making it a felony to take and remove any piece, partial, portion or removable appliance from an automobile without the owner's consent; providing that all purchasers and dealers in second-hand automobile parts and appliances shall keep a public record; providing a penalty for the violation of any Section of this Act, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Hull:

H. B. No. 640, A bill to be entitled "An Act providing that the Supreme Court may grant certain attorneys who have practiced law in a State of the United States for a period of 20 years and hold a license to practice law before the Supreme Court of the United States may be granted a license to practice in the State without taking the bar examinations, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Pope and Mr. Smith of Frio:

H. B. No. 641, A bill to be entitled "An Act making an appropriation out of any moneys in the State Treasury not otherwise appropriated for the Nueces River Conservation and Reclamation District, for each of the fiscal years ending August 31, 1940, and August 31, 1941, to aid said District in making the necessary surveys and preparing the necessary plans for its construction program, and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Reader of Bexar:

H. B. No. 642, A bill to be entitled "An Act to define, regulate, license and tax the business of itinerant merchants; to provide for the administration and enforcement of this Act; to appropriate the revenues derived from license fees and taxes; to require itinerant merchants to obtain and carry motor vehicle liability and property damage insurance, and bonds conditioned to pay damages for civil liability incurred and conditioned to pay taxes to provide for exemptions from this Act and to require persons claiming exemptions to sign and swear to written statements supporting such claims; to provide criminal penalties and civil liabilities for violation of this Act; and to provide for restraining by injunction violation of this Act, and declaring an emergency."

Referred to the Committee on Highways and Motor Traffic.

By Mr. Goodman:

H. B. No. 643, A bill to be entitled "An Act to amend Article 544, Chapter 9, Title 16, of the Revised Statutes of the State of Texas of 1925, Acts

of the First Called Session, 1917, so as to provide for the incorporation of investment and loan companies in cities of 5,000, 10,000 and 25,000 inhabitants by providing for capital stock of \$5,000.00, \$10,000.00 and \$25,000.00, respectively, and repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

Referred to the Committee on Banks and Banking.

By Mr. Celaya, Mr. Leonard and Mr. Vale:

H. B. No. 644, A bill to be entitled "An Act making an appropriation of Thirty-five Thousand (\$35,000.00) Dollars to defray the State of Texas' proportion of the expenses for an investigation to be conducted by the National Resources Committee through the Water Resources Committee and other Federal Agencies conducted under Acts of Congress for the purpose of making a complete survey of the Rio Grande from Ft. Quitman to its mouth in the Gulf of Mexico, for the purpose of ascertaining the maximum development of said river for flood control, irrigation, drainage and power in the order named, and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Holland:

H. B. No. 645, A bill to be entitled "An Act amending Article 3112 of the Revised Civil Statutes of the State of Texas of 1925, with reference to filing applications by candidates for district office, repealing all laws in conflict herewith, and declaring an emergency."

Referred to the Committee on Privilege, Suffrage and Elections.

By Mr. Morris:

H. B. No. 646, A bill to be entitled "An Act amending Section 6, Article III, Chapter 495, Acts of the Third Called Session of the Forty-fourth Legislature, as amended by Chapter 161, Acts of the Regular Session of the Forty-fifth Legislature; defining certain words, terms and phrases; imposing a tax on the amount paid for admission to any place with exceptions and fixing the amount of the tax; providing that persons subject to said tax shall file reports with and remit the tax to the Comptroller and describing information to be contained

in said reports; authorizing the Comptroller to collect tax from persons required to make daily reports at the time such admission fees are received by said persons; requiring every operator of a place of continuance performance to keep certain records open to the inspection of the Comptroller and the Attorney General for a period of two (2) years; exempting certain institutions, societies and organizations from the tax levied herein; prescribing the manner of printing admission tickets; prescribing civil penalties for failure to pay tax; providing that the State shall have a prior lien for delinquent taxes and penalties due which shall be recovered by suit filed by the Attorney General and providing said persons may be enjoined from operation until the tax has been paid; making it a misdemeanor and prescribing penalties for certain violations of the Act; making it the duty of the Comptroller to supervise and enforce the collection of the tax; vesting the Comptroller with power to promulgate rules and regulations and appropriating funds for the enforcement of the Act; allocating the revenue derived from the Act; preserving taxes, penalties and interest accruing from any amended provisions set out in the Act before the effective date thereof; providing that if any portion of this Act is held invalid or unconstitutional such decision shall not affect the remaining portions of the Act; repealing all laws in conflict herewith, and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Morris:

H. B. No. 647, A bill to be entitled "An Act relating to the collection of a tax on coin-operated machines; defining certain terms and phrases; fixing the rate of taxation and exempting certain classes of machines; requiring applications to be filed and licenses or permits to be obtained; requiring serial numbers by indenture on coin-operated machines and fixing penalties for possession with wrong serial number; providing for the filing of forfeiture proceedings when machines operated in violation of law; providing for summary forfeiture proceedings on machines of a certain value; providing that the court before whom forfeiture proceeding is heard may declare certain machines a

public nuisance and order destruction of same; fixing a preferred lien to the State for taxes due and unpaid; authorizing Comptroller to seal coin-operated machines found operating in violation of law; providing for issuance of search warrant; authorizing Comptroller to promulgate rules and regulations and to forfeit licenses or permits for certain violations of law; providing that nothing in this Act shall be construed to legalize or authorize any machine now illegal under Penal Code of this State; requiring payment of taxes due or in dispute into the suspense account of the State Treasurer before an injunction shall issue and fixing venue and jurisdiction; requiring certain records be kept and reports be filed by persons operating under an injunction and providing for dismissal of injunction after hearing for certain violations of the Act; appropriating funds for enforcement and allocating revenue derived from Act; prescribing misdemeanor and civil penalties; preserving taxes and penalties accruing to the State before the effective date of this Act and providing that offenses committed under pre-existing laws may be tried under such laws; providing that if any portion of law held invalid or unconstitutional it shall not affect remaining portions of law; repealing Section 4, Article III, Chapter 495, Acts of the Third Called Session of the Forty-fourth Legislature and all laws or parts of laws in conflict herewith, and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Holland:

H. B. No. 648, A bill to be entitled "An Act regarding the trapping, taking and killing of wild fox in Bell County, for a period of two years, providing conditions and exceptions, providing a penalty for the violation of this Act, repealing laws in conflict herewith, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Donaghey:

H. B. No. 649, A bill to be entitled "An Act providing for the amount that may be allowed by County Boards of Trustees to the County Superintendents of Public Instruction for expenditures for office and traveling expenses in certain counties according

to the last preceding Federal Census; repealing all laws and parts of laws, General or Special, in conflict herewith, and declaring an emergency."

Referred to the Committee on School Districts.

By Mr. Boyd and Mr. Pevehouse:

H. B. No. 650, A bill to be entitled "An Act amending Article 1036, Title 15, Chapter 2, of the Code of Criminal Procedure of 1925, as amended by Chapter 75, Acts of the Regular Session of the Fortieth Legislature, and by Chapter 143 of the Acts of the Regular Session of the Forty-second Legislature, providing for the payment of witness fees by the State of Texas; prescribing the procedure to be followed in the payment thereof, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Cornett, Mr. Newell, Mr. Harris, Mr. Derden, Mr. Smith of Hopkins, Mr. Skiles, Mr. Wells, Mr. White, Mr. Davis of Jasper, Mr. Spencer, Mr. Chambers, Mr. Russell, Mr. Tarwater, Mr. Hardeman, Mr. Coleman, Mr. Harper, Mr. Morris, Mr. Cockrell, Mr. Kern, Mr. Harrell of Lamar, Mr. Brown of Nacogdoches, Mr. Bailey, Mr. Turner, Mr. Bradbury, Mr. Olsen, Mr. Piner, Mr. King, Mr. Westbrook, Mr. Oliver, Mr. Weldon, Mr. Dean, Mr. Rhodes, Mr. Wright, Mr. Lehman, Mr. Langdon, Mr. Dowell, Mr. Worley, Mr. Hardin, Mr. Harrell of Bastrop, Mr. Crossley, Mr. Fuchs, Mr. Baker of Grayson, Mr. Reader of Erath, Mr. Harp, Mr. Cleveland, Mr. Howington, Mr. Roach, Mr. Bond, Mr. Alsup, Mr. Johnson of Ellis, Mr. Hunt, Mr. Smith of Matagorda, Mr. Reaves and Mr. Loggins:

H. B. No. 651, A bill to be entitled "An Act to levy an income tax upon natural persons and corporations for the purpose of carrying out the Social Security Program of the State by caring for needy blind, dependent children, Old Age Assistance, and matching Teachers' Retirement Fund; defining certain terms; providing that first tax shall be assessed in 1939 on net income for 1938; specifying under what condition estates, trusts and fiduciaries are taxable, and method of taxing same; exempting certain non-profit organizations; providing that the tax herein levied shall be a personal debt of the person assessed to the State of Texas; authorizing the

State Tax Board to require certain records to be kept; providing for accounting periods according to fiscal or calendar year, and the method of changing such periods; defining net income; defining gross income and specifying deductions allowed from gross income; prescribing what deductions shall be allowed to non-residents specifying items not deductible from gross income; prescribing a method of determining gain or loss in sale of capital assets; prescribing when exchanges of property are taxable and to what extent; prescribing method of allocating and apportioning income of persons engaged in business outside of the State; providing certain exemptions; providing credits to non-resident taxpayers for certain taxes paid in State of residence; providing certain credits for other taxes; specifying who shall file returns, the content, manner, time and place of filing same, etc.; prescribing content, manner, time and place of filing returns of fiduciaries; allowing consolidated returns in certain cases; providing for informational returns and prescribing the content, manner, time and place of filing such returns; setting out method of filing returns when accounting period is changed; providing that members of a partnership are taxable only in individual capacities; prescribing time, place and manner of payment of tax; authorizing the State Tax Board to require supplementary returns in certain cases; prescribing method of examination of returns, recomputation of tax, assessment of recomputed tax, protest of such additional assessment; prescribing regulations for hearings by the State Tax Board; placing a three-year limit on assessment of income taxes in general, but providing that no limitation shall apply to false or fraudulent returns or failure to file a return; providing for the refund of over-payment, and putting a limitation thereon; providing for revision and readjustment of any assessment by the State Tax Board upon application for hearing within one year by the taxpayer; providing for review of determinations of the State Tax Board by the proper courts of Travis County, Texas; requiring certain procedure precedent to appeal; providing that the District Court of Travis County, Texas, shall have exclusive original jurisdiction of income tax appeals from the State Comp-

troller, providing that collection of income tax shall not be stayed, except as otherwise provided in this Act; prescribing certain penalties, additional taxes and interest for violation of the provisions of this Act, and the manner of collecting same; providing for collection of income taxes by warrant and levy; prescribing further action for recovery of taxes; prescribing the method of administration of this Act, and the duties and powers of the Comptroller incident thereto; requiring secrecy of returns, and prescribing cases in which returns may be brought into court or otherwise disclosed; providing penalties for violation of secrecy provision by any official or employee of the Comptroller; disposing the tax to the Old Age Pension Fund, Teachers' Retirement Fund, Dependent Children's Fund and to the Needy Blind Fund; declaring contracts to assume income taxes illegal; declaring that any unconstitutional part of this Act shall not affect the remainder; placing venue for all actions under this Act in Travis County, Texas; making an appropriation for the purpose of placing this Act in immediate effect, and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

HOUSE JOINT RESOLUTION ON FIRST READING

The following House Joint Resolution, introduced today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Thornberry:

H. J. R. No. 34, Ratifying an amendment to the Constitution of the United States of America passed by the Sixty-eighth Congress of the United States of America, at the first session, which amendment empowers the Congress to limit, regulate and prohibit the labor of persons under 18 years of age.

Referred to the Committee on Constitutional Amendments.

BILLS ORDERED NOT PRINTED

On motion of Mr. Anderson, House Bills Nos. 621 and 622 were ordered not printed.

On motion of Mr. Blankenship, House Bill No. 632 was ordered not printed.

ADDITIONAL SIGNER OF HOUSE BILL NO. 425

Mr. Smith of Frio was authorized to sign House Bill No. 425, as co-author of same.

MESSAGE FROM THE SENATE

Austin, Texas, February 22, 1939.
Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

S. J. R. No. 6, Proposing an amendment to the Constitution of the State of Texas amending Section 26 of Article IV so as to provide that notaries public be appointed by the Secretary of State of the State of Texas; providing for the submission of this amendment to the voters of this State; and providing for the necessary appropriation to defray necessary expenses for the submission of this amendment.

S. B. No. 34, A bill to be entitled "An Act to amend Article 1379 of the Penal Code of the State of Texas, so as to increase the penalty from a fine of not less than Ten nor more than Five Hundred Dollars, to confinement in the penitentiary for not less than one nor more than five years, and declaring an emergency."

Respectfully,

BOB BARKER,

Secretary of the Senate.

INVITING THE MIXED CHORUS OF THE COLLEGE OF ARTS AND INDUSTRIES TO APPEAR BEFORE THE HOUSE

Mr. Allison offered the following resolution:

H. S. R. No. 137, Inviting the mixed chorus of the Texas College of Arts and Industries at Kingsville, to give a program before the House.

Whereas, The mixed chorus composed of students of the Texas College of Arts and Industries at Kingsville, Texas, has received wide recognition as being prominent in its field; and

Whereas, This group of singers is directed by Mr. Paul W. Riley, one of the outstanding musicians of Texas; now, therefore, be it

Resolved by the House of Representatives, That this group of fine musicians be invited to present a

short program in the House of Representatives at a time most convenient for them; and be it further

Resolved, That a copy of this resolution be mailed to Mr. Paul W. Riley, Director of Music and Fine Arts of the Texas College of Arts and Industries at Kingsville.

ALLISON,
SKILES,
HARRIS,
HULL,
ALSUP,
JOHNSON of Tarrant,
GOODMAN,
REED,
DEAN,
VALE,
BOYER,
GORDON, MRS.
MCDONALD,
HANKAMER,
SMITH of Hopkins,
LONDON,
THORNTON,
HEFLIN,
COLSON, MRS.
CELAYA,
THORNBERRY,
CAUTHORN.

The resolution was read second time, and was adopted.

RELATIVE TO CONSTRUCTION OF RURAL ELECTRIFI- CATION LINES

Mr. Alsup offered the following resolution:

H. S. R. No. 139, Relative to Construction of Rural Electrification Lines.

Whereas, Rural Electrification is an important and essential factor in the lives of the rural people of this State; and

Whereas, The State Highway Department of this State has hindered the progress of Rural Electrification by refusing to let power lines of said Rural Electrification be constructed on any portion of the right-of-way of said Highway Department; now, therefore, be it

Resolved, That the House Committee on Highway and Motor Traffic be directed to immediately consult officials of the State Highway Department, in order that an agreement may be reached so as to permit the construction of Rural Electrification lines on any portion of the rights-of-way of the State Highway Department, which may be deemed necessary

in order to construct Rural Electrification lines; and be it further

Resolved, That said Committee on Highway and Motor Traffic be directed to introduce legislation which will assist the farmers of this State in receiving Rural Electrification; and be it further

Resolved, That the said committee make its report to the House not later than March 8, 1939.

ALSUP,
WESTBROOK,

The resolution was read second time, and was adopted.

PROVIDING FOR PARTICIPATION IN WORLD FAIRS

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 7, Providing for the participation of Texas in the New York World's Fair and the San Francisco Golden Gate Exposition.

Whereas, At the Second Called Session of the Forty-fifth Legislature, Senate Concurrent Resolution No. 12, authorizing and instructing the Governor of Texas to appoint a commission of forty-five members, to be known as "The New York World's Fair and San Francisco Golden Gate Exposition Commission for Texas", to arrange exhibits for the State of Texas at said World's Fairs, was adopted; and

Whereas, Said Senate Concurrent Resolution further provided that said Commission be incorporated as a non-profit corporation under the laws of the State of Texas, and have authority to accept gifts, grants and donations of money or property for financing such representation; and

Whereas, Said Commission has been incorporated as a non-profit corporation under the laws of the State of Texas designated as the New York World's Fair and San Francisco Golden Gate Exposition Commission for Texas; and

Whereas, Public sentiment of the State of Texas, as reflected by the large number of newspaper comments and civic endorsements, appears to favor the participation of Texas in said Fairs; and

Whereas, On February 13, 1939, Governor O'Daniel and Lieutenant Governor Coke Stevenson held a meeting in Austin of representatives of

oil, sulphur, insurance, utilities, banking and business groups for the purpose of financing such participation in accordance with the provisions of said Senate Concurrent Resolution No. 12, at which meeting a number of important donations were made by public spirited firms and individuals toward this patriotic undertaking; and

Whereas, The Forty-sixth Legislature regards this means of advertising the State as a worthwhile movement, which should receive the wholehearted cooperation and support of all Texas industry, business, civic and educational institutions, as well as the assistance of every loyal Texan; now, therefore, be it

Resolved, That the Forty-sixth Legislature in Regular Session heartily endorse the efforts of the New York World's Fair and San Francisco Golden Gate Exposition Commissioners for Texas in arranging creditable representation for our great State at said World's Fairs, and earnestly offer its cooperation and support in all practical ways to see that the purposes for which the Commission was created and incorporated are successfully carried out.

The resolution was read second time, and was adopted.

RELATIVE TO THE CONSUMPTION OF COTTON

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 8, Relating to consumption of cotton.

Whereas, There is now a record breaking surplus of American cotton; and

Whereas, The lack of marked outlet for cotton is a matter of vital importance to the entire economic setup of Texas; and

Whereas, The per capita consumption of cotton in the United States has actually declined within the last thirty years, principally because of the encroachment of manufactured cotton substitutes, many of which are used by our own State institutions; and

Whereas, There is undoubtedly some possibility for increased use of cotton within the State itself, such as in road building, paper making, insulation, air conditioning, etc., as well as increased usage of cotton cloth in the

hundreds of channels in which it is normally used; now, therefore, be it

Resolved, That the Senate of Texas, the House of Representatives concurring, in order to focus public attention upon the seriousness of the problem and to stimulate increased consumption of cotton, does hereby instruct the State Highway Department, the State Board of Control, and any other State agency which purchases supplies, to use their most diligent efforts in the letting of contracts for supplies and materials, to specify that materials, supplies, or fabrics containing cotton, shall be preferred in supplying the needs of the State of Texas; and, be it further

Resolved, That a copy of this resolution be furnished the State Highway Commission and the State Board of Control for their information and observance.

The resolution was read second time.

On motion of Mr. Roberts, the resolution was adopted.

RELATIVE TO INSTITUTION FOR DELINQUENT COLORED GIRLS

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 9, Relative to Institution for Delinquent Colored Girls.

Whereas, There is at this time no State school or institution for colored girls who have adjudged as delinquent under the juvenile laws of this State, and the attempted enforcement of such laws in such cases is thereby rendered almost nugatory; and

Whereas, To meet this situation the Fortieth Legislature at its Regular Session passed an Act authorizing the erection of such an institution, but no appropriation has ever been made for such purpose; and

Whereas, It is manifest that an urgent necessity exists for the erection of such a school and State Institution; and

Whereas, It is believed that the building of such a structure will be found eligible to receive Federal aid out of P. W. A. funds; now, therefore, be it

Resolved by the Senate of the State of Texas, the House concurring, That the Honorable Claude D. Teer, Chairman of the State Board of Control,

be and he is hereby authorized and directed as follows:

"A" to ascertain the probable or approximate cost of the construction of a building or buildings of a substantial and suitable nature for such purpose of sufficient capacity to accommodate, ultimately, two hundred such juveniles; and

"B" to thereafter immediately make application to the proper officers of the Federal Government for the approval of the construction of such building or buildings and for an appropriation of P. W. A. funds to the extent the same may be obtained for such purpose, and at the earliest practicable time report the result of such application to the Legislature, stating the amount, if any, of such Government funds which may be so obtainable and the terms and conditions on which the same may be had; and

"C" to report to the Legislature at the earliest practicable time the probable or approximate cost of such building or buildings, and to accompany such report with an estimate of the probable or approximate annual expense or cost of operation for the first two years, and also to report the recommendation of the State Board of Control as to the most suitable city, town or place for such school and to report whether the State now owns a suitable site for such purpose, and if it is necessary to acquire such a site then an estimate of the probable cost of such site and the quantity of land found necessary for the purpose and to report the recommendation of said Board of Control as to the best method of management or supervision of such an institution.

The resolution was read second time.

Mr. McDonald moved that the resolution be referred to the Committee on Appropriations.

The motion prevailed.

PROVIDING FOR THE EXHIBITION OF CERTAIN MAP

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 10, Providing for the exhibition of certain map showing the Big Bend Area of the State of Texas.

Whereas, The National Park Service of the United States has just pre-

pared a relief map displaying the Big Bend Area of the State of Texas; and

Whereas, There is now pending before the Legislature of the State of Texas a bill to create a National Park in Texas, known as the Big Bend National Park; and

Whereas, This map will be of great interest to the people of Texas, and particularly to those who visit the Capitol daily, as the same aptly depicts the area to be embraced in the proposed National Park; now, therefore, be it

Resolved by the Senate, the House of Representatives concurring, The Board of Control be authorized to set aside a suitable place in the Rotunda of the Capitol for the purpose of exhibiting this map during this Session of the Legislature.

The resolution was read second time, and was adopted.

TO GRANT PERMISSION TO SUE THE STATE

Mr. Schuenemann offered the following resolution:

H. C. R. No. 39, To grant Mrs. Lourene Woodruff permission to sue the State.

Whereas, While employed as a teacher at the School of the Deaf, during several months of the year 1938, beginning about October 1938, Mrs. Lourene Woodruff, of Karnes City, Karnes County, Texas, slipped and fell on a rug on the floor of the class room in which she was teaching, by reason of which she sustained a serious back injury; the presence of this rug on the floor of the class room was dangerous and request had been made that it be removed, but the person in charge of the School of the Deaf failed to remove the said rug and as a result of said act the injury complained was sustained.

Whereas, The said Mrs. Lourene Woodruff and her husband, Charles Woodruff, have never been compensated for any damages sustained by reason of this act; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the said Mrs. Lourene Woodruff, and husband, Mr. Charles Woodruff, be, and they are hereby granted permission to bring suit against the State of Texas in any court of com-

petent jurisdiction having venue in this manner in order to determine what damages, if any, she suffered and what compensation, if any, she may be entitled to by reason of said act of the person in charge of the School of the Deaf, and that in case suit be filed service of citation and other necessary process may be had upon the Superintendent of the School of the Deaf and the Attorney General with same force and effects as is made in civil cases.

The resolution was read second time, and was referred, by the Speaker, to the Committee on State Affairs.

PROVIDING FOR THE OBSERVANCE OF FLAG WEEK

Mr. White offered the following resolution:

H. C. R. No. 41, Providing for the observance of Flag Week.

Whereas, The whole world, rent asunder by strife and contention, violence and intolerance, is today in a state of turmoil and uncertainty, marked by a titanic struggle between Democracy and Autocracy, while in this Country anti-American forces are striving to discredit and destroy the ideals and institutions symbolized by the American Flag, and social, political and economic forces are combating one another; and

Whereas, Never before in the history of the Nation has there been greater need among our people for the unity, cooperation and tolerance for which our Country's Flag stands; and

Whereas, With the Stars and Stripes as its emblem The United States Flag Association, a non-profit, non-partisan and non-sectarian organization incorporated under Federal law and headed by the President of the United States as Honorary President General, is, with the cooperation of various groups, organizations and fields of activity in our National life, conducting a National Patriotic Revival, culminating in Flag Week, June 8th to 14th next, for the two-fold purpose (1) of awakening our people to the dangers threatening our National life, thereby causing them to resolve as never before to uphold and preserve our Country's ideals and institutions, and (2) of promoting National unity, patriotic cooperation and racial and religious tolerance; therefore, be it

Resolved by the Senate and House of Representatives of the State of Texas, That they heartily indorse the plan for a great National Patriotic Revival, and that the Governor is hereby authorized and requested, first, to direct the State Commissioner of Public Instruction to arrange for the suitable observance of Flag Week in all the public schools, and, secondly, to issue a proclamation calling upon the State officials to display the United States Flag on all State buildings during Flag Week, and inviting the people of the State to fly the Flag at their homes and other suitable places as well as on their cars, and that in every community they hold special exercises at which means shall be taken to give significant expression to our thoughtful love of America, our pride in its glorious history, our faith in its destiny, our devotion to its ideals and institutions and our determination to uphold and preserve them now and forever.

The resolution was read second time, and was adopted.

TO GRANT PERMISSION TO SUE THE STATE

Mr. Holland offered the following resolution:

H. C. R. No. 42, To grant Ennis Miller permission to sue the State.

Whereas, On or about February 14, 1931, Ennis Miller, while in the employ of the State Highway Department, was injured by reason of what he alleges was defective equipment of the Highway Department, and by reason of the alleged negligence of the employees of the Highway Department; and

Whereas, The said Ennis Miller sustained injuries of the following nature, to-wit: a broken foot, a fractured skull, and other bone fractures and internal injuries; and

Whereas, The said Ennis Miller had to spend several months in the hospital and to expend large amounts of money for medical services for which he has not been reimbursed; and

Whereas, Mr. Miller alleges that the causing of these expenditures by him constitutes taking his property without due process of law; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That the said

Ennis Miller be and he is hereby granted permission to bring suit against the State of Texas and the Highway Department of the State of Texas, for such hospital bills, doctor bills, and expenses of his illness occasioned by the circumstances herein set out; and that such suit may be filed and maintained in the District Court of Bell County, Texas; and that process issued in such suit may be served upon the Attorney General of the State of Texas and the Chairman of the Highway Commission, with the same force in effect as in civil cases; and, be it

Resolved, That such suit shall be tried and determined in the trial and appellate courts according to the same rules of law and procedure as would be applicable if such suit were against an ordinary Texas corporation; be it further

Resolved, That any judgment which may be recovered by reason of the prosecution of said suit shall be and constitute a liquidated debt, and shall be paid by the Highway Commission of the State of Texas out of State Highway funds.

The resolution was read second time, and was referred, by the Speaker, to the Committee on State Affairs.

TO GRANT PERMISSION TO SUE THE STATE

Mr. Stinson offered the following resolution:

H. C. R. No. 44, To grant permission to sue the State.

Whereas, On the 5th day of May, A. D., 1938, Alva M. Prewitt and Dorothy Welch were killed and Billie Ross Mullins and Aubrey Welch were severely hurt as the results of a collision between the car they were riding in and one operated by Gus Darst, an employee of the Terrell State Hospital, and therefore an employee of the State of Texas; and

Whereas, Said accident occurred in Dallas County, at the intersection of the Dallas County Belt Line Road and Texas Highway No. 15 (U. S. 80), and at the time of the said accident the said Gus Darst was operating the car under the direct instructions of the Superintendent of the Terrell State Hospital and for the purpose of transporting inmates of said institution; and

Whereas, The said accident was officially investigated by a committee

appointed by Governor James V. Allred for the purpose, and consisting of C. J. Rutland, who acted as chairman, and Albert Sidney Johnson, Harry Hines and Ben Fly, and said committee prepared a printed report which was filed with the Governor of the State of Texas during the month of May, 1938; and

Whereas, If the State of Texas is liable for the said deaths and injuries, it is only just and proper that said liability and the extent of the injuries should be ascertained by a court of competent jurisdiction; and

Whereas, Suit cannot be maintained against the State of Texas without permission of the Legislature of the State of Texas; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That Mr. and Mrs. Charley Prewitt, the parents of the said Alva M. Prewitt, deceased, be, and they are hereby granted permission to bring suit against the State of Texas for damages sustained by them on account of the death of their son, Alva M. Prewitt, on the said occasion; and be it further

Resolved, That Mr. and Mrs. T. J. Welch, the parents of the said Dorothy Welch, deceased, be and they are hereby granted permission to bring suit against the State of Texas for damages sustained by them on account of the death of their daughter, Dorothy Welch, on the said occasion; and be it further

Resolved, That Billie Ross Mullins, a minor, and R. F. Mullins, his father, individually and as next friend of the said Billie Ross Mullins, be, and they are hereby granted permission to bring suit against the State of Texas, for the damages sustained by the said Billie Ross Mullins when he was injured on the said occasion; and be it further

Resolved, That Aubrey Welch be, and he is hereby granted permission to bring suit against the State of Texas for the damages sustained by the said Aubrey Welch on the said occasion; and be it further

Resolved, That said suits may be filed in any court of competent jurisdiction in Dallas County, Texas, at any time within two years from the date this resolution becomes effective, and such suits shall be tried and determined in the trial and appellate courts according to the same rules of law as would be applicable if such

suits were against a private corporation, organized and existing under the laws of this State, and that the citation and other process issued in such suits shall be served upon the Attorney General of the State of Texas; and be it further

Resolved, That any judgments which may be recovered by reason of the prosecution of such suits shall each constitute a liquidated debt and shall be paid out of any funds that may be appropriated hereafter for the support and maintenance of the Terrell State Hospital.

The resolution was read second time, and was referred, by the Speaker, to the Committee on State Affairs.

AUTHORIZING CERTAIN CORRECTION IN HOUSE BILL NO. 351

Mr. Reader of Erath offered the following resolution:

H. C. R. No. 43, Authorizing certain correction in House Bill No. 351.

Whereas, House Bill No. 351 has passed the House and Senate; and

Whereas, The words "at all times," were inadvertently omitted in the first paragraph of Section 1 of said bill; and

Whereas, The word "public" was inadvertently omitted in the second paragraph of Section 1 of said bill; and

Whereas, The words "provided such person is a bonafide resident of the county where minnows are taken," were omitted in the second paragraph of Section 1 of said bill; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Enrolling Clerk of the House be instructed to insert the words "at all times," in the second line of the first paragraph of Section 1 between the words "lawful" and "for;" and the word "public" in the second line of the second paragraph of Section 1 between the words "all," and "water;" and the words "provided such person is a bonafide resident of the county where minnows are taken," after the words "commercial purposes," in line four of the second paragraph of Section 1.

The resolution was read second time, and was adopted.

ENDORISING HON. JOSEPH C. HUTCHESON AS A MEMBER OF THE SUPREME COURT

Mr. Heflin offered the following resolution:

H. C. R. No. 46, Endorsing Hon. Joseph C. Hutcheson as a member of the Supreme Court.

Whereas, A distinguished member of the Supreme Court of the United States, the Hon. Louis Brandeis, is retiring from the bench and the President, Franklin D. Roosevelt, will at an early date select his successor; and

Whereas, This is a position that should be filled by a man of loyalty and high ranking in his party; and

Whereas, It has come to our attention that Texas should be honored with this appointment; and

Whereas, The State of Texas has in the person of the Hon. Joseph C. Hutcheson, son of a distinguished Captain in the Confederate Army and former Member of Congress, a judge of like qualifications to Judge Brandeis; and

Whereas, The Hon. Joseph C. Hutcheson, who has served as Mayor of Houston, Federal District Judge, and who is now Judge of the Circuit Court of Appeals, is a loyal Democrat, a distinguished lawyer and citizen; and

Whereas, The leaders of the State Democratic organization propose and urge the appointment of the Hon. Joseph C. Hutcheson for the position made vacant by the retirement of Judge Louis Brandeis; now, therefore, be it

Resolved, That the House of Representatives of the Texas Legislature, the Senate concurring, do heartily endorse and earnestly urge the selection of the Hon. Joseph C. Hutcheson, who has so ably served our State and the Democratic party, as successor to the Hon. Louis Brandeis; and be it further

Resolved, That copies of this resolution be forwarded to President Franklin D. Roosevelt, Hon. Morris Sheppard, and Hon. Tom Connally, expressing to them our keen desire that the Hon. J. C. Hutcheson, our beloved citizen and public servant, be favored with this appointment.

HEFLIN,
WINFREE,
HOWARD,

MONTGOMERY,
MORSE.

The resolution was read second time, and was adopted.

URGING CONGRESS TO PASS
CERTAIN APPROPRIATION

Mr. Ragsdale offered the following resolution:

H. C. R. No. 47, Urging Congress to make certain appropriation.

Whereas, The losses accruing to cotton farmers of the State from damages by insects amounts to approximately \$60,000,000 a year, and approximately \$173,000,000 a year to the cotton farmers of the Nation; and

Whereas, The pink boll worm is rapidly becoming the most serious threat of all these insects; and

Whereas, The pink boll worm is spreading further and further into the cotton growing sections of Texas and the United States; and

Whereas, The pink boll worm situation has become a national menace and one that concerns the welfare of the cotton industry; and

Whereas, The infested territories are unable to bear the entire burden of eradication; therefore be it

Resolved by the House of Representatives, the Senate concurring, That Congress be urged to pass the appropriation bill for the eradication of the pink boll worm now before the Congress; and be it further resolved that a copy of this resolution be sent to the Chairmen of the House and Senate Agriculture Committees of our National Congress.

RAGSDALE,
SHELL,
POPE,
LEONARD,
CELAYA,
VALE.

The resolution was read second time.

Mr. Morris offered the following amendment to the resolution:

Amend House Concurrent Resolution No. 47, by adding the words "and boll weevils" after the words "pink boll worm" wherever they appear.

Mr. Leonard moved to table the amendment.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—70

Allen	Howington
Bell	Hunt
Blankenship	Isaacks
Boyer	Kersey
Bradford	Kinard
Bridgers	King
Broadfoot	Leonard
Brown	Leyendecker
of Nacogdoches	Little
Bundy	Mays
Burney	McAlister
Cauthorn	McDaniel
Chambers	Montgomery
Clark	Newell
Cleveland	Olsen
Cockrell	Pope
Coleman	Ragsdale
Crossley	Reader of Bexar
Davis of Upshur	Reader of Erath
Dean	Reed
Dickison	Rhodes
Dwyer	Riviere
Faulkner	Schuenemann
Felty	Segrist
Ferguson	Shell
Fuchs	Smith of Frio
Galbreath	Smith
Goodman	of Matagorda
Hamilton	Stinson
Hankamer	Tarwater
Hardeman	Taylor
Hardin	Vale
Harper	Vint
Harrell of Bastrop	Waggoner
Harris	Wilson
Hartzog	Winfree

Nays—59

Alsop	Holland
Anderson	Johnson of Ellis
Bailey	Johnson of Tarrant
Baker	Keith
of Fort Bend	Kennedy
Baker of Grayson	Kern
Boyd	Kerr
Bradbury	Langdon
Bray	Lehman
Brown of Cherokee	Lock
Colquitt	London
Colson, Mrs.	McMurry
Cornett	McNamara
Daniel	Mohrmann
Davis of Jasper	Monkhouse
Derden	Morris
Dickson	Oliver
Dowell	Pace
Fielden	Pevehouse
Hale	Roach
Harp	Roberts

Robinson	Thornton
Russell	Turner
Skiles	Voigt
Smith of Hopkins	Weldon
Spencer	Wells
Stoll	Westbrook
Talbert	White
Tennant	Wood
Thornberry	Worley

Present—Not Voting

Donaghey

Absent

Allison	Hull
Bond	Loggins
Celaya	McDonald
Corry	McFarland
Gilmer	Nicholson
Gordon, Mrs.	Petsch
Harrell of Lamar	Piner
Heflin	Reaves
Howard	Wright

Absent—Excused

Burkett

Mr. Alsop raised a point of order, on further consideration of the resolution, at this time, on the ground that the time allotted for the consideration of resolutions has expired.

The Speaker sustained the point of order.

Mr. Davis of Upshur moved that the Rule, relative to the consideration of resolutions, be suspended until the above resolution is disposed of.

The motion prevailed.

Question then recurring on the resolution, it was adopted.

(Mr. Keith in the Chair.)

RELATIVE TO HOUSE BILL NO 261

Mr. Baker of Grayson moved that the Committee on Liquor Traffic be requested to report House Bill No. 261 to the House by 10:00 o'clock a. m., next Tuesday, February 28.

Mr. Hartzog raised a point of order, on further consideration of the motion, at this time, on the ground that the motion to request the Committee is not in order under the Rules of the House.

The Chair overruled the point of order.

Mr. Hankamer raised a point of order, on further consideration of the

motion, at this time, on the ground that the motion does not come within the routine motion period, and that the motion is not privileged.

The Chair sustained the point of order.

SENATE BILL NO. 159 ON SECOND READING

The Chair laid before the House, on its second reading and passage to third reading,

S. B. No. 159, A bill to be entitled "An Act validating and legalizing the authorization of bonds issued by any water improvement district in this State for the improvement, repair or rehabilitation of its irrigation system, or ports thereof; validating the levy and assessment of ad valorem taxes in payment thereof; validating the manner of holding the election, canvassing the returns, and declaring the results of such election, and declaring an emergency."

The bill was read second time.

(Speaker in the Chair.)

Mr. Anderson offered the following committee amendment to the bill:

Amend Senate Bill No. 159, Section 1, line 3, by deleting the words "as shown by the United States Census of 1930, of not less than two hundred ninety thousand (290,000) nor more than three hundred twenty thousand (320,000)" and substituting in lieu thereof the following: "as shown by the last preceding United States Census, of not less than two hundred fifteen thousand (215,000) nor more than three hundred thousand (300,000)".

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Senate Bill No. 159 was then passed to third reading.

SENATE BILL NO. 159 ON THIRD READING

Mr. Anderson moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 159 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—127

Allen	Isaacks
Allison	Johnson of Ellis
Alsup	Johnson of Tarrant
Anderson	Keith
Baker	Kennedy
of Fort Bend	Kern
Baker of Grayson	Kerr
Bell	Kersey
Blankenship	Kinard
Bond	King
Boyd	Langdon
Boyer	Lehman
Bradbury	Leyendecker
Bradford	Little
Bray	Lock
Bridgers	London
Broadfoot	Mays
Brown of Cherokee	McAlister
Brown	McDaniel
of Nacogdoches	McDonald
Bundy	McFarland
Burney	McMurry
Cauthorn	McNamara
Celaya	Mohrmann
Chambers	Monkhouse
Clark	Montgomery
Cleveland	Morris
Cockrell	Newell
Colson, Mrs.	Nicholson
Colquitt	Oliver
Cornett	Olsen
Corry	Pace
Crossley	Pevehouse
Daniel	Piner
Davis of Upshur	Pope
Dean	Reader of Bexar
Dickison	Reader of Erath
Donaghey	Reaves
Dowell	Reed
Dwyer	Rhodes
Faulkner	Riviere
Ferguson	Roach
Fuchs	Roberts
Gilmer	Robinson
Gordon, Mrs.	Russell
Hale	Schuenemann
Hamilton	Segrist
Hankamer	Shell
Hardin	Skiles
Harp	Smith of Hopkins
Harper	Spencer
Harrell of Bastrop	Stinson
Harrell of Lamar	Stoll
Harris	Talbert
Hartzog	Tarwater
Holland	Taylor
Howard	Tennant
Howington	Thornberry
Hunt	Thornton

Turner
Vale
Vint
Voigt
Weldon
Wells

White
Wilson
Wood
Worley
Wright

Present—Not Voting

Dickson

Absent

Bailey	Leonard
Coleman	Loggins
Davis of Jasper	Petsch
Derden	Ragsdale
Felty	Smith of Frio
Fielden	Smith
Galbreath	of Matagorda
Goodman	Waggoner
Hardeman	Westbrook
Heflin	Winfree
Hull	

Absent—Excused

Burkeft

The Speaker then laid Senate Bill No. 159 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—127

Allen	Derden
Allison	Dickison
Alsup	Dickson
Anderson	Dowell
Bailey	Dwyer
Baker of Grayson	Felty
Bell	Ferguson
Blankenship	Fielden
Bond	Fuchs
Boyd	Galbreath
Boyer	Gilmer
Bradbury	Goodman
Bradford	Gordon, Mrs.
Bray	Hale
Bridgers	Hamilton
Broadfoot	Hankamer
Brown of Cherokee	Hardin
Bundy	Harp
Burney	Harper
Cauthorn	Harrell of Bastrop
Celaya	Harrell of Lamar
Chambers	Harris
Clark	Holland
Cockrell	Howard
Colquitt	Howington
Colson, Mrs.	Hunt
Crossley	Isaacks
Daniel	Johnson of Ellis
Davis of Upshur	Johnson of Tarrant
Dean	Keith

Kennedy	Reaves
Kern	Reed
Kerr	Rhodes
Kersey	Riviere
Kinard	Roach
King	Roberts
Langdon	Robinson
Lehman	Russell
Leonard	Schuenemann
Leyendecker	Segrist
Little	Shell
Lock	Skiles
London	Smith of Hopkins
Mays	Spencer
McAlister	Stinson
McDaniel	Stoll
McDonald	Talbert
McFarland	Taylor
McMurry	Tennant
McNamara	Thornberry
Mohrmann	Thornton
Monkhouse	Turner
Montgomery	Vale
Morris	Vint
Newell	Voigt
Nicholson	Waggoner
Oliver	Weldon
Olsen	Wells
Pace	White
Pevehouse	Wilson
Piner	Wood
Pope	Worley
Reader of Bexar	Wright
Reader of Erath	

Absent

Baker	Hartzog
of Fort Bend	Heflin
Brown	Hull
of Nacogdoches	Loggins
Cleveland	Petsch
Coleman	Ragsdale
Cornett	Smith of Frio
Corry	Smith
Davis of Jasper	of Matagorda
Donaghey	Tarwater
Faulkner	Westbrook
Hardeman	Winfree

Absent—Excused

Burkett

SPECIAL ORDER SET

Mr. Boyer moved that House Bill No. 17 be set as a special order for 10:30 o'clock a. m., next Tuesday, February 28.

The motion prevailed by the following vote:

Yeas—116

Allen	Alsup
Allison	Anderson

Baker of Grayson	Lehman
Bell	Leonard
Blankenship	Leyendecker
Bond	Little
Boyd	Lock
Boyer	London
Bradbury	Mays
Bradford	McAlister
Bridgers	McDaniel
Broadfoot	McDonald
Brown of Cherokee	McFarland
Brown	McMurry
of Nacogdoches	McNamara
Bundy	Mohrmann
Cauthorn	Monkhouse
Celaya	Montgomery
Chambers	Newell
Clark	Nicholson
Cleveland	Oliver
Cockrell	Olsen
Cornett	Pace
Crossley	Pevehouse
Daniel	Ragsdale
Davis of Upshur	Reader of Bexar
Dean	Reader of Erath
Derden	Reaves
Dickison	Reed
Dickson	Riviere
Donaghey	Roach
Dwyer	Roberts
Faulkner	Robinson
Felty	Russell
Ferguson	Schuenemann
Fielden	Segrist
Galbreath	Shell
Gilmer	Smith of Frio
Goodman	Spencer
Gordon, Mrs.	Stinson
Hamilton	Stoll
Hardin	Talbert
Harp	Tarwater
Harper	Taylor
Harrell of Bastrop	Tennant
Harrell of Lamar	Thornberry
Harris	Thornton
Howington	Turner
Hull	Vale
Hunt	Voigt
Isaacks	Waggoner
Johnson of Ellis	Weldon
Johnson of Tarrant	White
Kennedy	Wilson
Kern	Winfree
Kerr	Wood
Kinard	Worley
King	Wright
Langdon	

Nays—12

Bailey	Dowell
Bray	Holland
Colquitt	Keith
Colson, Mrs.	Kersey

Morris
Skiles

Vint
Wells

Absent

Baker	Heflin
of Fort Bend	Howard
Burney	Loggins
Coleman	Petsch
Corry	Piner
Davis of Jasper	Pope
Fuchs	Rhodes
Hale	Smith of Hopkins
Hankamer	Smith
Hardeman	of Matagorda
Hartzog	Westbrook

Absent—Excused

Burkett

SENATE BILL NO. 175 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 175, A bill to be entitled "An Act authorizing independent school districts, and cities which have assumed the control of public schools situated therein to build or purchase buildings and grounds located within or without the district or city, for the purpose of constructing gymnasias, stadia, or other recreational facilities, and to mortgage and encumber the same, and the income thereof, and to evidence the obligation therefor by the issuance of bonds to secure the payment of funds to purchase or construct or to purchase and construct the same; providing that the purchaser shall have a franchise to operate same in case of foreclosure; providing that no such obligation shall ever be a debt of any such school district or city, but solely a charge upon the property so encumbered; providing that no election for the issuance of such bonds shall be necessary, providing that the governing body of any such school district or city may in its discretion and as additional security for such bonds, encumber and pledge other income and revenues accruing to the athletic fund; providing that such project shall be deemed self-liquidating in character; providing that the cost of maintaining and operating the project shall be a first charge against the revenues of the project, and declaring an emergency."

The bill was read second time.

Mr. Stinson offered the following amendment to the bill:

Amend Senate Bill No. 175, by adding another Section to be numbered Section to be known as Section 8(a), to read as follows:

"Section 8(a). The provisions of this Act shall not apply to any county of this State having a population of not less than three hundred thousand (300,000) nor more than three hundred and fifty thousand (350,000), according to the last preceding Federal Census."

STINSON,
BLANKENSHIP.

The amendment was adopted.

Mr. Hull offered the following amendment to the bill:

Amend Senate Bill No. 175, by adding a new Section to be numbered Section 8(A), to read as follows:

"Sec. 8(A). The provisions of this Act shall not apply to any county of this State having a population of not less than two hundred and fifty thousand (250,000) or more than three hundred and fifty thousand (350,000), according to the last Federal Census."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Senate Bill No. 175 was then passed to third reading.

SENATE BILL NO. 175 ON THIRD READING

Mr. Dickison moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 175 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—142

Allen	Boyer
Allison	Bradbury
Alsup	Bradford
Anderson	Bray
Bailey	Bridgers
Baker	Broadfoot
of Fort Bend	Brown of Cherokee
Baker of Grayson	Brown
Bell	of Nacogdoches
Blankenship	Bundy
Bond	Burney
Boyd	Cauthorn

Celaya	Lock	Piner	Schuenemann
Chambers	Loggins	Pope	Shell
Clark	London	Absent—Excused	
Cleveland	Mays	Burkett	
Cockrell	McAlister	The Speaker then laid Senate Bill	
Coleman	McDaniel	No. 175 before the House on its third	
Colquitt	McDonald	reading and final passage.	
Colson, Mrs.	McFarland	The bill was read third time, and	
Cornett	McMurry	was passed by the following vote:	
Corry	McNamara	Yeas—132	
Crossley	Mohrmann	Allen	Hardin
Daniel	Monkhouse	Allison	Harp
Davis of Jasper	Montgomery	Alsup	Harper
Davis of Upshur	Morris	Anderson	Harrell of Bastrop
Dean	Newell	Bailey	Harrell of Lamar
Derden	Nicholson	Baker	Harris
Dickison	Oliver	of Fort Bend	Heflin
Dickson	Olsen	Baker of Grayson	Holland
Dowell	Pace	Bell	Howard
Dwyer	Pevehouse	Blankenship	Howington
Faulkner	Ragsdale	Bond	Hull
Felty	Reader of Bexar	Boyd	Hunt
Ferguson	Reader of Erath	Boyer	Isaacks
Fielden	Reaves	Bradbury	Johnson of Ellis
Fuchs	Reed	Bradford	Johnson of Tarrant
Galbreath	Rhodes	Bridgers	Keith
Gilmer	Riviere	Broadfoot	Kennedy
Goodman	Roach	Brown of Cherokee	Kern
Gordon, Mrs.	Roberts	Brown	Kerr
Hale	Robinson	of Nacogdoches	Kersey
Hamilton	Russell	Bundy	Kinard
Hankamer	Segrist	Cauthorn	King
Hardeman	Skiles	Celaya	Langdon
Hardin	Smith of Frio	Chambers	Lehman
Harp	Smith of Hopkins	Clark	Leonard
Harper	Smith	Cleveland	Leyendecker
Harrell of Bastrop	of Matagorda	Cockrell	Little
Harrell of Lamar	Spencer	Colquitt	Lock
Harris	Stinson	Colson, Mrs.	Loggins
Hartzog	Stoll	Crossley	London
Heflin	Talbert	Daniel	Mays
Holland	Tarwater	Davis of Jasper	McAlister
Howard	Taylor	Davis of Upshur	McDaniel
Howington	Tennant	Dean	McFarland
Hull	Thornberry	Derden	McMurry
Hunt	Thornton	Dickson	McNamara
Isaacks	Turner	Dowell	Mohrmann
Johnson of Ellis	Vale	Dwyer	Monkhouse
Johnson of Tarrant	Vint	Faulkner	Montgomery
Keith	Voigt	Felty	Morris
Kennedy	Waggoner	Ferguson	Newell
Kern	Weldon	Fielden	Nicholson
Kersey	Wells	Fuchs	Oliver
Kinard	Westbrook	Galbreath	Olsen
King	White	Gilmer	Pevehouse
Langdon	Wilson	Goodman	Piner
Lehman	Winfree	Gordon, Mrs.	Reader of Bexar
Leonard	Wood	Hale	Reader of Erath
Leyendecker	Worley	Hamilton	Reaves
Little	Wright	Hankamer	Reed
Absent			
Donaghey	Petsch		

Rhodes	Tennant
Riviere	Thornberry
Roach	Thornton
Roberts	Turner
Robinson	Vale
Russell	Vint
Segrist	Voigt
Skiles	Waggoner
Smith of Frio	Weldon
Smith of Hopkins	Wells
Smith	Westbrook
of Matagorda	White
Spencer	Wilson
Stinson	Winfree
Stoll	Wood
Talbert	Worley
Tarwater	Wright
Taylor	

Present—Not Voting

Bray	Corry
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Absent

Burney	McDonald
Coleman	Pace
Cornett	Petsch
Dickison	Pope
Donaghey	Ragsdale
Hardeman	Schuenemann
Hartzog	Shell

Absent—Excused

Burkett

Mr. Anderson moved to reconsider the vote by which Senate Bill No. 175 was passed, and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 288 ON SECOND READING

Mr. Winfree moved that the necessary Rules be suspended, for the purpose of taking up, and considering, at this time, House Bill No. 288.

The motion prevailed.

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 288, A bill to be entitled "An Act amending Article 307, Revised Civil Statutes of Texas, 1925, as amended by House Bill No. 201 of the Regular Session of the Forty-fourth Legislature, page 438, Chapter 176 (1935), exempting graduates of certain law schools from the bar examinations, and declaring an emergency."

The bill was read second time.

Mr. Felty moved that House Bill No. 288 be tabled.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—29

Bailey	Langdon
Baker	Leonard
of Fort Bend	London
Bond	McDonald
Bradford	McFarland
Dickson	McMurry
Felty	Olsen
Fuchs	Pace
Gilmer	Roach
Hankamer	Smith of Frio
Harris	Thornberry
Howard	Vint
Keith	Voigt
Kersey	Waggoner
Kinard	Worley

Nays—107

Allen	Ferguson
Allison	Fielden
Alsup	Galbreath
Anderson	Gordon, Mrs.
Baker of Grayson	Hale
Bell	Hamilton
Blankenship	Hardeman
Boyer	Hardin
Bradbury	Harper
Bray	Harrell of Bastrop
Bridgers	Harrell of Lamar
Broadfoot	Hartzog
Brown of Cherokee	Heflin
Brown	Holland
of Nacogdoches	Howington
Bundy	Hunt
Burney	Isaacks
Celaya	Johnson of Ellis
Chambers	Johnson of Tarrant
Clark	Kennedy
Cleveland	Kern
Cockrell	Kerr
Coleman	King
Colquitt	Lehman
Colson, Mrs.	Leyendecker
Cornett	Little
Corry	Lock
Crossley	Loggins
Daniel	Mays
Davis of Jasper	McDaniel
Davis of Upshur	McNamara
Derden	Mohrmann
Dickison	Monkhouse
Donaghey	Montgomery
Dowell	Morris
Dwyer	Newell
Faulkner	Nicholson

Oliver	Stinson
Pevehouse	Stoll
Piner	Talbert
Reader of Bexar	Tarwater
Reader of Erath	Taylor
Reaves	Tennant
Reed	Thornton
Rhodes	Turner
Riviere	Vale
Roberts	Weldon
Robinson	Wells
Russell	Westbrook
Schuenemann	White
Segrist	Wilson
Smith of Hopkins	Winfree
Smith	Wood
of Matagorda	Wright
Spencer	

Present—Not Voting

Cauthorn	McAlister
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Absent

Boyd	Petsch
Dean	Pope
Goodman	Ragsdale
Harp	Shell
Hull	Skiles

Absent—Excused

Burkett

Mr. Daniel moved the previous question, on the engrossment of House Bill No. 288, and the main question was ordered.

House Bill No. 288 was then passed to engrossment.

HOUSE BILL NO. 288 ON THIRD READING

Mr. Winfree moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 288 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—109

Allen	Bridgers
Allison	Broadfoot
Alsup	Brown of Cherokee
Anderson	Brown
Bailey	of Nacogdoches
Baker of Grayson	Bundy
Bell	Burney
Blankenship	Cauthorn
Boyer	Celaya
Bradbury	Chambers
Bray	Clark

Cleveland	McFarland
Cockrell	McNamara
Coleman	Mohrmann
Colquitt	Montgomery
Colson, Mrs.	Morris
Cornett	Pace
Corry	Pevehouse
Crossley	Piner
Daniel	Pope
Davis of Jasper	Ragsdale
Davis of Upshur	Reader of Bexar
Derden	Reader of Erath
Dickson	Reaves
Donaghey	Reed
Dwyer	Rhodes
Faulkner	Riviere
Ferguson	Roach
Fielden	Roberts
Galbreath	Robinson
Gordon, Mrs.	Russell
Hamilton	Schuenemann
Hardeman	Segrist
Hardin	Shell
Harp	Smith of Hopkins
Harper	Smith
Harrell of Bastrop	of Matagorda
Hartzog	Spencer
Heflin	Stinson
Holland	Stoll
Howington	Talbert
Hull	Tarwater
Hunt	Taylor
Isaacks	Tennant
Johnson of Ellis	Thornton
Johnson of Tarrant	Turner
Kennedy	Vale
Kern	Voigt
Kerr	Weldon
King	Wells
Lehman	White
Leyendecker	Wilson
Lock	Winfree
Loggins	Wood
Mays	Wright
McDaniel	

Nays—27

Baker	Langdon
of Fort Bend	Leonard
Bond	Little
Boyd	London
Bradford	McAlister
Dickson	McDonald
Felty	McMurry
Gilmer	Monkhouse
Hankamer	Olsen
Harris	Skiles
Howard	Thornberry
Keith	Vint
Kersey	Waggoner
Kinard	Worley
	Absent
Dean	Dowell

Fuchs	Nicholson
Goodman	Oliver
Hale	Petsch
Harrell of Lamar	Smith of Frio
Newell	Westbrook

Absent—Excused

Burkett

The Speaker then laid House Bill No. 288 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—108

Allen	Harrell of Bastrop
Allison	Harrell of Lamar
Alsup	Hartzog
Anderson	Heflin
Bailey	Holland
Baker of Grayson	Howington
Bell	Hull
Blankenship	Hunt
Boyer	Isaacks
Bradbury	Johnson of Ellis
Bray	Johnson of Tarrant
Bridgers	Kennedy
Broadfoot	Kern
Brown of Cherokee	King
Brown of Nacogdoches	Lehman
Bundy	Leyendecker
Burney	Little
Cauthorn	Lock
Celaya	Loggins
Chambers	Mays
Clark	McDaniel
Cleveland	McFarland
Cockrell	McNamara
Coleman	Mohrmann
Colquitt	Montgomery
Colson, Mrs.	Morris
Cornett	Olsen
Corry	Pace
Crossley	Pevehouse
Daniel	Piner
Davis of Jasper	Pope
Davis of Upshur	Ragsdale
Derden	Reader of Bexar
Dickison	Reader of Erath
Donaghey	Reaves
Dwyer	Reed
Faulkner	Roach
Ferguson	Roberts
Fielden	Robinson
Galbreath	Russell
Gordon, Mrs.	Schuenemann
Hamilton	Segrist
Hardeman	Smith of Hopkins
Hardin	Smith
Harp	of Matagorda
Harper	Spencer
	Stinson

Stoll
Talbert
Tarwater
Taylor
Tennant
Thornton
Turner
Vale

Voigt
Weldon
Wells
White
Wilson
Winfree
Wood
Wright

Nays—28

Baker	Kersey
of Fort Bend	Kinard
Bond	Langdon
Boyd	Leonard
Bradford	London
Dickson	McAlister
Dowell	McDonald
Felty	McMurry
Fuchs	Monkhouse
Gilmer	Skiles
Hale	Thornberry
Hankamer	Vint
Harris	Waggoner
Howard	Worley
Keith	

Present—Not Voting

Riviere

Absent

Dean	Petsch
Goodman	Rhodes
Kerr	Shell
Newell	Smith of Frio
Nicholson	Westbrook
Oliver	

Absent—Excused

Burkett

REASON FOR VOTE

I am voting "present—not voting" on the passage of House Bill No. 288 because I feel that I have a personal interest in the matter.

RIVIERE.

Mr. Winfree moved to reconsider the vote by which House Bill No. 288 was passed, and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 430 ON SECOND READING

Mr. Goodman moved that the necessary Rules be suspended, for the purpose of taking up, and considering, at this time, House Bill No. 430.

The motion prevailed.

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 430, A bill to be entitled "An Act ratifying and confirming, subject to the consent and approval of the Congress of the United States, an agreement and compact between the States of New Mexico and Texas, pertaining to the construction and maintenance of the Alamogordo Reservoir upon the Pecos River in the State of New Mexico, and providing for agreement on the part of the State of New Mexico pertaining to the use of the waters of the Pecos River, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 430 ON THIRD READING

Mr. Goodman moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 430 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—123

Allen	Cornett
Allison	Corry
Alsup	Crossley
Anderson	Daniel
Bailey	Davis of Jasper
Baker	Davis of Upshur
of Fort Bend	Derden
Baker of Grayson	Dickison
Bell	Dickson
Blankenship	Dowell
Bond	Faulkner
Boyd	Felty
Boyer	Ferguson
Bradbury	Fielden
Bradford	Galbreath
Bray	Gilmer
Bridgers	Goodman
Broadfoot	Gordon, Mrs.
Brown	Hale
of Nacogdoches	Hamilton
Bundy	Hankamer
Burney	Hardeman
Cauthorn	Hardin
Chambers	Harp
Clark	Harrell of Bastrop
Cleveland	Harrell of Lamar
Cockrell	Harris
Coleman	Howington
Colquitt	Hunt
Colson, Mrs.	Isaacks

Johnson of Ellis	Reader of Bexar
Johnson of Tarrant	Reader of Erath
Keith	Reaves
Kennedy	Reed
Kern	Riviere
Kerr	Roach
Kersey	Roberts
Kinard	Robinson
King	Russell
Langdon	Schuenemann
Lehman	Segrist
Leonard	Shell
Leyendecker	Skiles
Little	Smith of Hopkins
Lock	Smith
Loggins	of Matagorda
London	Spencer
McAlister	Stinson
McDaniel	Stoll
McDonald	Talbert
McFarland	Taylor
McMurry	Tennant
McNamara	Thornberry
Mohrmann	Thornton
Monkhouse	Vale
Montgomery	Voigt
Morris	Weldon
Nicholson	Wells
Olsen	White
Pevehouse	Wilson
Piner	Winfree
Pope	Wood
Ragsdale	Worley

Absent

Brown of Cherokee	Newell
Celaya	Oliver
Dean	Pace
Donaghey	Petsch
Dwyer	Rhodes
Fuchs	Smith of Frio
Harper	Tarwater
Hartzog	Turner
Heflin	Vint
Holland	Waggoner
Howard	Westbrook
Hull	Wright
Mays	

Absent—Excused

Burkett

The Speaker then laid House Bill No. 430 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—138

Allen	Alsup
Allison	Anderson

Bailey	Johnson of Ellis
Baker	Johnson of Tarrant
of Fort Bend	Keith
Baker of Grayson	Kennedy
Bell	Kern
Blankenship	Kerr
Bond	Kersey
Boyd	Kinard
Boyer	King
Bradbury	Langdon
Bradford	Lehman
Bray	Leonard
Bridgers	Leyendecker
Broadfoot	Little
Brown of Cherokee	Lock
Brown	Loggins
of Nacogdoches	London
Bundy	Mays
Burney	McAlister
Cauthorn	McDaniel
Celaya	McDonald
Chambers	McFarland
Clark	McMurry
Cleveland	McNamara
Cockrell	Mohrmann
Coleman	Monkhouse
Colquitt	Montgomery
Colson, Mrs.	Morris
Cornett	Nicholson
Corry	Oliver
Crossley	Olsen
Daniel	Pevehouse
Davis of Jasper	Piner
Davis of Upshur	Pope
Derden	Ragsdale
Dickison	Reader of Bexar
Dickson	Reader of Erath
Dwyer	Reaves
Faulkner	Reed
Felty	Rhodes
Ferguson	Riviere
Fielden	Roach
Fuchs	Roberts
Galbreath	Robinson
Gilmer	Russell
Goodman	Schuenemann
Gordon, Mrs.	Segrist
Hale	Shell
Hamilton	Skiles
Hankamer	Smith of Hopkins
Hardeman	Smith
Hardin	of Matagorda
Harp	Spencer
Harrell of Bastrop	Stinson
Harrell of Lamar	Stoll
Harris	Talbert
Hartzog	Tarwater
Holland	Taylor
Howard	Tennant
Howington	Thornberry
Hull	Thornton
Hunt	Vale
Isaacks	Vint

Voigt	Wilson
Waggoner	Winfree
Weldon	Wood
Wells	Worley
Westbrook	Wright
White	
	Absent
Dean	Newell
Donaghey	Pace
Dowell	Petsch
Harper	Smith of Frio
Heflin	Turner

Absent—Excused

Burkett

Mr. Goodman moved to reconsider the vote by which House Bill No. 430 was passed, and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 74 ON FINAL PASSAGE

The Speaker laid before the House, as unfinished business, on its final passage,

H. B. No. 74, A bill to be entitled "An Act creating a State Bar, constituting it an administrative agency of the Judicial Department of the State, defining the powers thereof, prescribing the membership thereof, and prohibiting those not members from practicing law; empowering the Supreme Court to adopt and promulgate rules and regulations for the admission to the practice of law, disciplining, suspending, and disbarring attorneys at law; for the conduct of the State Bar; prescribing a code of ethics governing the conduct of the members prescribing and limiting the fees to be paid by members, collection and disbursement thereof; preserving the right of trial by jury in disbarment proceedings; providing for repeal of all laws in conflict, and declaring an emergency."

The bill having been read third time, on yesterday.

Mr. Wood offered the following amendment to the bill:

Amend House Bill No. 74, by adding the following after the word "thereof" in line 7, page 2: "provided further that no person shall ever be suspended for non-payment of dues as levied in this Act".

(Mr. Leonard in the Chair.)

Mr. Stinson moved to table the amendment.

The motion to table prevailed.

Mr. Bond moved the previous question on the final passage of House Bill No. 74, and the main question was ordered.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 74 was then passed by the following vote:

Yeas—108

Allen	Hartzog
Allison	Heflin
Alsup	Holland
Anderson	Howard
Baker	Hull
of Fort Bend	Isaacks
Baker of Grayson	Johnson of Ellis
Bell	Johnson of Tarrant
Blankenship	Keith
Bond	Kerr
Boyd	Kinard
Boyer	King
Bradbury	Langdon
Bradford	Leyendecker
Bray	Little
Bridgers	Lock
Brown	Loggins
of Nacogdoches	London
Bundy	McAlister
Burney	McDaniel
Cauthorn	McDonald
Cleveland	McFarland
Cockrell	McNamara
Colquitt	Monkhouse
Cornett	Montgomery
Corry	Morris
Crossley	Newell
Daniel	Nicholson
Derden	Oliver
Dickison	Olsen
Dickson	Pevehouse
Donaghey	Ragsdale
Dowell	Reader of Bexar
Faulkner	Reader of Erath
Felty	Reed
Ferguson	Rhodes
Gilmer	Riviere
Goodman	Roach
Gordon, Mrs.	Robinson
Hale	Russell
Hamilton	Schuenemann
Hankamer	Segrist
Hardeman	Shell
Harp	Smith of Frio
Harper	Smith
Harrell of Bastrop	of Matagorda
Harris	Stinson

Stoll	Voigt
Talbert	Waggoner
Tarwater	Wells
Taylor	White
Tennant	Wilson
Thornberry	Winfree
Thornton	Wood
Turner	Wright
Vale	

Nays—33

Bailey	Lehman
Broadfoot	Mays
Brown of Cherokee	McMurry
Chambers	Mohrmann
Clark	Pace
Coleman	Piner
Davis of Jasper	Pope
Davis of Upshur	Reaves
Fielden	Roberts
Fuchs	Skiles
Galbreath	Smith of Hopkins
Hardin	Spencer
Howington	Vint
Hunt	Weldon
Kennedy	Westbrook
Kern	Worley
Kersey	

Absent

Celaya	Dwyer
Colson, Mrs.	Harrell of Lamar
Dean	Petsch

Absent—Excused

Burkett

Mr. Stinson moved to reconsider the vote by which House Bill No. 74 was passed, and to table the motion to reconsider.

The motion to table prevailed.

(Speaker in the Chair.)

HOUSE BILL NO. 632 ON SECOND READING

Mr. Blankenship moved that all necessary House Rules and the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 632 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—131

Allen	Bailey
Allison	Baker
Alsup	of Fort Bend
Anderson	Baker of Grayson

Bell	Kersey
Blankenship	Kinard
Bond	King
Boyd	Langdon
Boyer	Lehman
Bradbury	Leyendecker
Bradford	Little
Bray	Lock
Bridgers	Loggins
Broadfoot	London
Brown of Cherokee	Mays
Brown of Nacogdoches	McAlister
Bundy	McDaniel
Burney	McFarland
Cauthorn	McMurry
Celaya	McNamara
Chambers	Mohrmann
Clark	Monkhouse
Cleveland	Morris
Cockrell	Newell
Coleman	Nicholson
Colquitt	Olsen
Colson, Mrs.	Pace
Cornett	Pevehouse
Corry	Piner
Crossley	Reader of Bexar
Daniel	Reader of Erath
Davis of Upshur	Reaves
Derden	Reed
Dickison	Rhodes
Dickson	Riviere
Donaghey	Roach
Dowell	Roberts
Dwyer	Robinson
Faulkner	Russell
Felty	Schuenemann
Ferguson	Segrist
Fielden	Shell
Fuchs	Skiles
Galbreath	Smith of Frio
Gilmer	Smith of Hopkins
Gordon, Mrs.	Spencer
Hale	Stinson
Hamilton	Stoll
Hankamer	Talbert
Hardeman	Tarwater
Hardin	Taylor
Harp	Tennant
Harper	Thornberry
Harrell of Bastrop	Thornton
Harris	Turner
Holland	Vint
Howard	Voigt
Howington	Waggoner
Hull	Weldon
Hunt	Wells
Isaacks	Westbrook
Johnson of Ellis	White
Keith	Wilson
Kennedy	Wood
Kern	Worley
Kerr	Wright

Nays—1

Davis of Jasper

Absent

Dean	Oliver
Goodman	Petsch
Harrell of Lamar	Pope
Hartzog	Ragsdale
Heflin	Smith
Johnson of Tarrant	of Matagorda
Leonard	Vale
McDonald	Winfree
Montgomery	

Absent—Excused

Burkett

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 632, A bill to be entitled "An Act authorizing cities and towns having a population of not less than four thousand inhabitants, within counties of this State having a population of not less than three hundred thousand inhabitants and not more than three hundred fifty thousand inhabitants, according to the last preceding Federal Census, to attach land and territory not in any town or city and within one mile of the limits of such towns or cities for zoning purposes; defining such purposes; extending the police power of such towns and cities to include land and territory so attached and the residents and owners thereof for the purpose of enforcing its zoning ordinances; authorizing the appointments of residents of the territory so attached on the Zoning Commission and Board of Adjustment of such cities and towns; authorizing such towns and cities to fix and enforce penalties for the violation of the zoning ordinances of such towns and cities; providing if any part of this Act is held to be unconstitutional or invalid for any reason the remaining portion of the Act shall be effective and not affected by such decision; making conflicting laws inapplicable to zoning of such attached territory; providing, that this Act shall be cumulative of all laws not inconsistent herewith, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 632 ON THIRD
READING

The Speaker then laid House Bill No. 632 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—133

Allen	Hankamer
Allison	Hardeman
Alsup	Harp
Anderson	Harper
Bailey	Harrell of Bastrop
Baker	Harrell of Lamar
of Fort Bend	Harris
Baker of Grayson	Heflin
Bell	Holland
Blankenship	Howington
Bond	Hull
Boyd	Hunt
Boyer	Johnson of Ellis
Bradbury	Johnson of Tarrant
Bradford	Keith
Bray	Kennedy
Bridgers	Kern
Broadfoot	Kerr
Brown of Cherokee	Kersey
Brown	Kinard
of Nacogdoches	King
Bundy	Langdon
Burney	Lehman
Cauthorn	Leonard
Celaya	Leyendecker
Chambers	Little
Clark	Loggins
Cleveland	London
Cockrell	McAlister
Coleman	McDaniel
Colquitt	McDonald
Colson, Mrs.	McFarland
Cornett	McMurry
Corry	McNamara
Crossley	Mohrmann
Daniel	Monkhouse
Davis of Jasper	Montgomery
Davis of Upshur	Morris
Dickson	Newell
Dickson	Nicholson
Donaghey	Olsen
Dowell	Pace
Faulkner	Pevehouse
Felty	Piner
Ferguson	Pope
Fielden	Ragsdale
Fuchs	Reader of Bexar
Galbreath	Reader of Erath
Gilmer	Reaves
Goodman	Reed
Gordon, Mrs.	Rhodes
Hale	Roach
Hamilton	Roberts

Robinson	Thornberry
Russell	Thornton
Segrist	Turner
Skiles	Vale
Smith of Frio	Vint
Smith of Hopkins	Voigt
Smith	Waggoner
of Matagorda	Weldon
Spencer	Wells
Stinson	Westbrook
Stoll	White
Talbert	Wilson
Tarwater	Wood
Taylor	Worley
Tennant	Wright

Absent

Dean	Mays
Derden	Oliver
Dwyer	Petsch
Hardin	Riviere
Hartzog	Schuenemann
Howard	Shell
Isaacks	Winfree
Lock	

Absent—Excused

Burkett

HOUSE BILL NO. 374 ON SECOND
READING

Mr. Hardeman moved that the necessary rules be suspended for the purpose of taking up and considering, at this time, House Bill No. 374.

The motion prevailed.

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 374, A bill to be entitled "An Act providing for the holding of college entrance examinations; authorizing the setting up of rules and regulations necessary thereto; providing for the setting up of a system of fees and for the depositing of fees; describing college entrance examination funds; providing no debt shall be created against said fund and providing for a balance in said fund, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 374 ON THIRD
READING

Mr. Hardeman moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 374 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—125

Allen	Howington
Allison	Hull
Alsup	Hunt
Anderson	Johnson of Ellis
Bailey	Johnson of Tarrant
Baker	Kennedy
of Fort Bend	Kern
Baker of Grayson	Kerr
Bell	Kersey
Blankenship	Kinard
Bond	King
Boyd	Langdon
Boyer	Lehman
Bradbury	Leonard
Bradford	Leyendecker
Bray	Lock
Brown of Cherokee	Loggins
Brown	London
of Nacogdoches	Mays
Bundy	McAlister
Cauthorn	McDaniel
Chambers	McFarland
Clark	McMurry
Cleveland	McNamara
Cockrell	Mohrmann
Coleman	Morris
Colson, Mrs.	Newell
Cornett	Nicholson
Crossley	Olsen
Daniel	Pace
Davis of Jasper	Pevehouse
Davis of Upshur	Pope
Derden	Reader of Bexar
Dickison	Reaves
Dickson	Reed
Donaghey	Rhodes
Dowell	Riviere
Dwyer	Roach
Faulkner	Roberts
Felty	Robinson
Ferguson	Russell
Fielden	Schuenemann
Fuchs	Segrist
Galbreath	Shell
Gilmer	Skiles
Goodman	Smith of Frio
Gordon, Mrs.	Smith of Hopkins
Hamilton	Smith
Hankamer	of Matagorda
Hardeman	Spencer
Hardin	Stinson
Harp	Stoll
Harper	Tarwater
Harrell of Bastrop	Taylor
Harrell of Lamar	Tennant
Harris	Thornberry
Heflin	Thornton
Holland	Turner
Howard	Vale

Vint	Westbrook
Voigt	White
Waggoner	Wilson
Weldon	Wood
Wells	Worley

Nays—2

Colquitt Reader of Erath

Absent

Bridgers	McDonald
Broadfoot	Monkhouse
Burney	Montgomery
Celaya	Oliver
Corry	Petsch
Dean	Piner
Hale	Ragsdale
Hartzog	Talbert
Isaacks	Winfree
Keith	Wright
Little	

Absent—Excused

Burkett

The Speaker then laid House Bill No. 374 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—132

Allen	Corry
Allison	Crossley
Alsup	Daniel
Anderson	Davis of Jasper
Bailey	Davis of Upshur
Baker	Derden
of Fort Bend	Dickison
Baker of Grayson	Dickson
Bell	Donaghey
Blankenship	Dowell
Bond	Faulkner
Boyd	Felty
Boyer	Ferguson
Bradbury	Fielden
Bradford	Fuchs
Bray	Galbreath
Broadfoot	Gilmer
Brown of Cherokee	Goodman
Brown	Gordon, Mrs.
of Nacogdoches	Hale
Bundy	Hamilton
Cauthorn	Hankamer
Celaya	Hardeman
Chambers	Hardin
Clark	Harp
Cleveland	Harper
Cockrell	Harrell of Bastrop
Coleman	Harrell of Lamar
Colson, Mrs.	Harris
Cornett	Hartzog

Heflin	Pope
Holland	Reader of Bexar
Howard	Reader of Erath
Howington	Reaves
Hull	Reed
Hunt	Rhodes
Isaacks	Riviere
Johnson of Ellis	Roach
Johnson of Tarrant	Roberts
Keith	Robinson
Kennedy	Russell
Kern	Schuenemann
Kerr	Segrist
Kersey	Shell
Kinard	Skiles
King	Smith of Frio
Langdon	Smith of Hopkins
Lehman	Smith
Leonard	of Matagorda
Leyendecker	Spencer
Lock	Stoll
Loggins	Tarwater
London	Taylor
Mays	Tennant
McAlister	Thornberry
McDaniel	Thornton
McDonald	Turner
McFarland	Vale
McMurry	Vint
McNamara	Voigt
Mohrmann	Weldon
Monkhouse	Wells
Morris	Westbrook
Newell	White
Nicholson	Wilson
Olsen	Wood
Pace	Worley
Pevehouse	

Nays—1

Colquitt

Absent

Bridgers	Piner
Burney	Ragsdale
Dean	Stinson
Dwyer	Talbert
Little	Waggoner
Montgomery	Winfree
Oliver	Wright
Petsch	

Absent—Excused

Burkett

MESSAGE FROM THE SENATE

Austin, Texas, February 22, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the following:

S. C. R. No. 12, Recalling Senate Bill No. 173 from the House for further consideration.

Passed

H. B. No. 30, A bill to be entitled "An Act amending Chapter 10, Special Laws, Forty-fourth Legislature, enacted in the year A. D. 1935, and declaring an emergency." (With amendment.)

H. B. No. 147, A bill to be entitled "An Act to declare it unlawful to take, hunt, trap, ensnare, kill or attempt to kill by any means whatsoever any wild deer, buck, doe, fawn or wild turkey in Palo Pinto County for a period of four (4) years from and after the passage of this Act, and declaring an emergency."

H. B. No. 252, A bill to be entitled "An Act to authorize all County Line Independent School Districts partly situated in three (3) or more counties, the supervision of said school being located in counties having a population of not less than 17,000 nor more than 17,500 as shown by the last preceding Federal Census; to pay present outstanding legal indebtedness of said County Line Independent School Districts, by refunding warrants to bear interest of not more than six per cent (6%) per annum, and to be payable out of a portion of the local maintenance taxes, and declaring an emergency."

H. B. No. 349, A bill to be entitled "An Act creating and establishing Callahan County Road District No. 2 in Callahan County, Texas, under Article III, Section 52 of the Constitution for the purpose of the construction, operation and maintenance of macademized, graveled or paved roads or turnpikes, or in aid thereof; describing the territory included therein; making the District a body corporate with authority to sue and be sued; authorizing the District to issue bonds upon two-thirds vote of the property taxpaying voters voting at an election; prescribing the method of calling and conducting such election, and the method of issuing said bonds; directing the levy, assessment and collection of a tax for the payment of principal and interest of said bonds; providing for the custody and disbursement of the funds of the District; providing that in awarding contracts for road construction the Commissioners' Court shall advertise for bids and shall award the contract to the lowest and

best bidder, and declaring an emergency."

H. B. No. 311, A bill to be entitled "An Act making certain emergency appropriations for the General Land Office, and declaring an emergency." (With amendment.)

Adopted

S. C. R. No. 11, Providing for adjournment of the Legislature from March 1, 1939 to March 6, 1939 in order to participate in celebration at Old Washington on the Brazos.

Respectfully,

BOB BARKER,
Secretary of the Senate.

HOUSE BILL NO. 92 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 92, A bill to be entitled "An Act amending Article 2618 of the Revised Civil Statutes of 1925, changing the status of John Tarleton Agricultural College from a Junior College to a standard four-year college, and providing for a course of study for said College; and amending Article 2620 of the Revised Civil Statutes of 1925, changing the name of North Texas Junior Agricultural, Mechanical and Industrial College at Arlington to the name of North Texas Agricultural College, and placing said school under the Board of Directors of the Agricultural and Mechanical College of Texas; and amending Article 2621 of the Revised Civil Statutes of 1925, changing the status of said junior college to a standard four-year college, and providing for a course of study for the same; and expressly repealing Articles 2622 and 2623 of the Revised Civil Statutes of 1925, and declaring an emergency."

The bill was read third time.

Mr. McDonald offered the following amendment to the bill:

Amend House Bill No. 92, by adding the following after the word "country," on line 8, page 2, of the printed bill: "However, no degrees shall ever be conferred other than bachelor's degrees in the Arts and Sciences."

McDONALD,
LEONARD.

The amendment was adopted by the following vote:

Yeas—116

Allen	Keith
Allison	Kennedy
Alsup	Kern
Anderson	Kerr
Baker	Kersey
of Fort Bend	Kinard
Baker of Grayson	King
Bell	Langdon
Blankenship	Lehman
Bond	Leonard
Boyd	Leyendecker
Boyer	Lock
Bradbury	Loggins
Bradford	London
Bridgers	Mays
Brown	McAlister
of Nacogdoches	McDaniel
Bundy	McDonald
Burney	McFarland
Cauthorn	McMurry
Clark	McNamara
Cleveland	Mohrmann
Cockrell	Monkhouse
Coleman	Newell
Colquitt	Nicholson
Colson, Mrs.	Olsen
Cornett	Pevehouse
Corry	Pope
Crossley	Ragsdale
Daniel	Reader of Bexar
Davis of Jasper	Reader of Erath
Davis of Upshur	Reaves
Derden	Reed
Dickison	Rhodes
Dickson	Riviere
Donaghey	Roach
Dowell	Roberts
Dwyer	Robinson
Felty	Russell
Ferguson	Schuenemann
Fielden	Segrist
Fuchs	Shell
Galbreath	Skiles
Gilmer	Smith of Hopkins
Gordon, Mrs.	Spencer
Hamilton	Stinson
Hankamer	Stoll
Harp	Tarwater
Harper	Taylor
Harrell of Bastrop	Thornberry
Harris	Thornton
Hartzog	Vale
Heflin	Waggoner
Howard	Wells
Howington	White
Hunt	Wilson
Isaacks	Winfree
Johnson of Ellis	Worley
Johnson of Tarrant	Wright

Nays—5

Brown of Cherokee	Voigt
Holland	Westbrook
Morris	

Present—Not Voting

Bray	Vint
------	------

Absent

Bailey	Montgomery
Broadfoot	Oliver
Celaya	Pace
Chambers	Petsch
Dean	Piner
Faulkner	Smith of Frio
Goodman	Smith
Hale	of Matagorda
Hardeman	Talbert
Hardin	Tennant
Harrell of Lamar	Turner
Hull	Weldon
Little	Wood

Absent—Excused

Burkett

Mr. McDonald offered the following amendment to the bill:

Amend House Bill No. 92, by adding the following after the word "country," on line 33, page 2, of the printed bill: "However no degrees shall ever be conferred other than bachelor's degree in the Arts and Sciences."

McDONALD,
LEONARD.

Mr. Reader of Bexar moved the previous question on the pending amendment and the final passage of House Bill No. 92 and the motion was not seconded.

The amendment by Mr. McDonald was then adopted by the following vote:

Yeas—118

Allen	Bridgers
Allison	Broadfoot
Alsup	Cauthorn
Anderson	Clark
Bailey	Cleveland
Baker	Cockrell
of Fort Bend	Coleman
Baker of Grayson	Colson, Mrs.
Bell	Cornett
Blankenship	Corry
Bond	Davis of Upshur
Boyd	Derden
Boyer	Dickison
Bradbury	Dickson
Bradford	Donaghey

Dowell	McDonald
Dwyer	McFarland
Ferguson	McMurry
Fielden	McNamara
Fuchs	Mohrmann
Galbreath	Monkhouse
Gilmer	Newell
Goodman	Nicholson
Gordon, Mrs.	Olsen
Hale	Pevehouse
Hankamer	Pope
Hardeman	Reader of Bexar
Hardin	Reader of Erath
Harp	Reaves
Harper	Reed
Harrell of Bastrop	Rhodes
Harrell of Lamar	Riviere
Harris	Roach
Hartzog	Roberts
Heflin	Robinson
Holland	Russell
Howard	Schuenemann
Howington	Segrist
Hull	Shell
Hunt	Skiles
Isaacks	Smith of Hopkins
Johnson of Ellis	Spencer
Johnson of Tarrant	Stinson
Keith	Stoll
Kennedy	Tarwater
Kern	Taylor
Kerr	Tennant
Kersey	Thornberry
Kinard	Thornton
King	Vale
Langdon	Vint
Lehman	Voigt
Leonard	Waggoner
Leyendecker	Weldon
Little	Wells
Lock	Wilson
Loggins	Winfree
Mays	Worley
McAlister	Wright
McDaniel	

Nays—7

Brown of Cherokee	Westbrook
Davis of Jasper	White
Faulkner	Wood
Morris	

Present—Not Voting

Bray	Colquitt
------	----------

Absent

Brown	Daniel
of Nacogdoches	Dean
Bundy	Felty
Burney	Hamilton
Celaya	London
Chambers	Montgomery
Crossley	Oliver

Pace	Smith
Petsch	of Matagorda
Piner	Talbert
Ragsdale	Turner
Smith of Frio	

Absent—Excused

Burkett

Question: Shall House Bill No. 92 be passed?

MESSAGE FROM THE SENATE

Austin, Texas, February 22, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted:

H. C. R. No. 43, Authorizing certain corrections in House Bill No. 351.

Respectfully,

BOB BARKER,

Secretary of the Senate.

RELATIVE TO HOUSE BILL NO. 148

Mr. Bray asked unanimous consent of the House, that the record be corrected to show that the following amendment was, on yesterday, adopted to House Bill No. 148:

Amend House Bill No. 148, Section 9, Article 740 to include after the word "prayer" in line 23, the words "except as to minors".

BRAY.

There was no objection offered, and it was so ordered.

PROVIDING FOR THE CONSIDERATION OF LOCAL AND UNCONTESTED BILLS

Mr. Mays moved that the House meet at 2:00 o'clock p. m., next Monday, February 27, for the purpose of taking up and considering local and uncontested bills.

The motion prevailed.

SENATE JOINT RESOLUTION ON FIRST READING

The following Senate Joint Resolution, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

Senate Joint Resolution No. 6, to the Committee on Constitutional Amendments.

SENATE BILL ON FIRST READING

The following Senate bill, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

Senate Bill No. 34, to the Committee on Criminal Jurisprudence.

ADJOURNMENT

Mr. Anderson moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Mr. McMurry moved that the House recess until 10:00 o'clock a. m. tomorrow.

Question first recurring on the motion to adjourn, it prevailed, and the House, accordingly, at 1:15 o'clock p. m., adjourned until 10:00 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Appropriations: House Bill No. 558.

Municipal and Private Corporations: House Bill No. 632.

Livestock and Stock Raising: House Bill No. 563.

Game and Fisheries: House Bills Nos. 517, 532 and 624.

Education: House Bills Nos. 596 and 617; Senate Bill No. 134.

Judicial Districts: House Bills Nos. 341 and 350.

Counties: House Bills Nos. 595, 621 and 622.

Penitentiaries: House Bill No. 153.

Insurance: House Bills Nos. 249, 556 and 557.

Game and Fisheries: House Bills Nos. 392, 475, 476, 481, 482, 490, 513, 531, 534 and 631.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,

Austin, Texas, February 22, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 47, Urging Congress to pass the appropriation bill for the

eradication of the pink boll worm now before the Congress.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 22, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 46, Endorsing Joseph C. Hutcheson for membership in the Supreme Court.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 22, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 43, Authorizing certain corrections in House Bill No. 351.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 21, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 148, A bill to be entitled "An Act regulating the practice of medicine, amending Articles 4500, 4503, 4504, 4505, 4506, and 4507 of Title 71, Chapter 6, Revised Civil Statutes of Texas, and adding Article 4500a thereto; and amending Articles 740 and 742 of Title 12, Chapter 6, of the Penal Code of Texas, and adding Article 742a thereto, as follows: Providing for the granting, refusal, revocation, cancellation and suspension of licenses to practice medicine in this State; providing for the granting and refusing by the State Board of Medical Examiners of applications to take its examinations, and for judicial proceedings upon any such refusal; providing for the qualifications and attainments to be possessed by applicants for such examinations and licenses, the form and contents of such applications and the examination of such applicants; providing definitions of certain terms

used in this Act, including the terms 'reputable physicians' and 'reputable medical colleges'; providing that the State Board of Medical Examiners shall not under Article 4500, as amended hereby, grant a license to practice medicine to any applicant whose authority to practice medicine in any other Nation or Country was granted by a Nation or Country in which a similar law in reference to granting a license to practice medicine under reciprocal arrangement does not exist in favor of physicians of Texas; providing that said Board be authorized to adopt and enforce rules of procedure not inconsistent with statutory requirements; providing, that those ministering or offering to minister to the sick or suffering through the application or use of the principles, tenets or teachings of any church, by prayer, without the use of any drug or material remedy, shall refrain from maintaining offices, except for the purpose of exercising the principles, tenets, or teachings of the church of which they are bona fide members; providing that the provisions of this Chapter shall not apply to duly licensed chiropodists, who confine their practice strictly to chiropody, as defined by statute; providing that these laws shall apply to all persons, other than licensed physicians, who sell or offer to sell, on the streets, in other public places, or by going from house to house, within or outside of incorporated cities, towns or villages, remedies which they recommend as tonics, rejuvenators, female remedies, or remedies, or remedies for any disease whatsoever; providing for judicial proceedings hereunder; amending Article 742 of the Penal Code of this State so as to provide that any person practicing medicine in Texas in violation of the preceding Articles of Title 12, Chapter 6, of such Penal Code, shall be guilty of a misdemeanor, providing that each day of such violation shall be a separate offense and fixing the punishment therefor upon conviction; providing that any person not authorized by license to practice medicine who publicly professes to be a physician or a surgeon and offers to treat any disease or disorder, mental or physical, or any physical deformity or injury, by any system or method, or to effect cures thereof, and who

uses or assumes any title to, appends his name words or letters which represent, or may tend to represent, him as a physician, shall be guilty of a misdemeanor, making each day of such violation a separate offense, and fixing the punishment therefor upon conviction; providing for the partial invalidity hereof; repealing all laws in conflict herewith, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

TWENTY-SEVENTH DAY

(Thursday, February 23, 1939)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Honorable Homer Leonard.

The roll of the House was called, and the following Members were present:

Allen	Corry
Allison	Crossley
Alsup	Daniel
Anderson	Davis of Jasper
Bailey	Davis of Upshur
Baker	Dean
of Fort Bend	Derden
Baker of Grayson	Dickison
Bell	Dickson
Blankenship	Donaghey
Bond	Dowell
Boyd	Dwyer
Boyer	Faulkner
Bradbury	Felty
Bradford	Ferguson
Bray	Fielden
Bridgers	Fuchs
Broadfoot	Galbreath
Brown of Cherokee	Gilmer
Brown	Goodman
of Nacogdoches	Gordon, Mrs.
Bundy	Hale
Burney	Hamilton
Cauthorn	Hankamer
Celaya	Hardeman
Chambers	Hardin
Clark	Harp
Cleveland	Harper
Cockrell	Harrell of Bastrop
Coleman	Harrell of Lamar
Colquitt	Harris
Colson, Mrs.	Hartzog
Cornett	Heflin

Holland	Ragsdale
Howard	Reader of Bexar
Howington	Reader of Erath
Hull	Reaves
Hunt	Reed
Isaacks	Rhodes
Johnson of Ellis	Riviere
Johnson of Tarrant	Roach
Keith	Roberts
Kennedy	Robinson
Kern	Russell
Kerr	Schuenemann
Kersey	Segrist
Kinard	Shell
King	Skiles
Langdon	Smith of Frio
Lehman	Smith of Hopkins
Leonard	Smith
Leyendecker	of Matagorda
Little	Spencer
Lock	Stinson
Loggins	Stoll
London	Talbert
Mays	Tarwater
McAlister	Taylor
McDaniel	Tennant
McDonald	Thornberry
McFarland	Thornton
McMurry	Turner
McNamara	Vale
Mohrmann	Vint
Monkhouse	Voigt
Montgomery	Waggoner
Morris	Weldon
Newell	Wells
Nicholson	Westbrook
Oliver	White
Olsen	Wilson
Pace	Winfree
Petsch	Wood
Pevehouse	Worley
Pope	Wright

Absent—Excused

Burkett Piner

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"Almighty God, we are grateful to Thee for Thy kind providences manifested toward us in so many ways. We rejoice that in all our work we are co-operating with Thee as we really serve our fellowmen. Qualify us this morning in large measure for all right activities and use us in the progress of Thine own purposes. In Christ's name. Amen."